

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILED RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/004,201	11/01/2001	Claus Bornaes	0220US210

CONFIRMATION NO. 5811
FORMALITIES LETTER



OC000000007312570

Joanne Petithory
Maxygen, Inc.
515 Galveston Drive
Redwood City, CA 94063

Date Mailed: 01/15/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216

- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

1A-
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Please type a plus sign (+) inside this box

(Modified) PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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O I P E MAR 19 2002
P A T E N T & T R A D E M A R K O F F I C E

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	18	Attorney Docket Number	0220us210
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ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (x 2)	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Declaration (3 pp.), Power of Attorney by Assignee (1 p.), Statement Under 37 CFR 3.73(b) (3 pp.), Copy of Notice to File Missing Parts (2 pp.), Request for Corrected Filing Receipt (2 pp.), Marked-up Copy of Filing Receipt (1 p.); Return postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Authorization to Charge Deposit Account Please charge Deposit Account No. 50-0990 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Joanne R. Petithory, Reg. No. 42,995
Signature	
Date	March 13, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, Attn: Box Missing Parts on this date: March 13, 2002

Typed or printed name	Diana M. Schaller		
Signature		Date	March 13, 2002

Please type a plus sign (+) inside the circle → +

(Modified) PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
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Total Number of Pages in This Submission	16	Examiner Name	Unassigned
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Typed or printed name	Diana M. Schaller		
Signature		Date	March 13, 2002

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Fee Transmittal for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

Complete if Known

Application Number	10/004,201
Filing Date	November 1, 2001
First Named Inventor	Ciaus Bornaeas
Examiner Name	Unassigned
Group Art Unit	1644
Attorney Docket No.	0220us210

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																																																																																																																				
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number 50-0990 Deposit Account Name Maxygen, Inc. <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th colspan="3">Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td colspan="3">Surcharge - late filing fee or oath</td><td>130.00</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td colspan="3">Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td colspan="3">Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td colspan="3">For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td colspan="3">Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td colspan="3">Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td colspan="3">Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td colspan="3">Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td colspan="3">Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td colspan="3">Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td colspan="3">Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td colspan="3">Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td colspan="3">Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td colspan="3">Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td colspan="3">Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td colspan="3">Petition to revive - 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SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Joanne R. Petithory	Registration No. (Attorney/Agent)	42,995	Telephone (650) 298-5300
Signature	<i>Joanne R. Petithory</i>			Date March 13, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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P.O. Box 2327
Arlington, VA 22202
Attn: Box Missing Parts

On March 13, 2002

By Diana M. Schaller

Diana M. Schaller

Attorney Docket No. 0220us210

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Claus Bornaeas et al.

Examiner: Unassigned

Application No.: 10/004,201

Art Unit: 1644

Filed: November 1, 2001

TRANSMITTAL LETTER - RESPONSE
TO NOTICE OF MISSING PARTS

For: NEW MULTIMERIC INTERFERON
BETA POLYPEPTIDES

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202
Attn: Box Missing Parts

Sir:

Pursuant to the "Notice to File Missing Parts of Application - Filing Date Granted" dated January 15, 2002, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration;
- 2) Power of Attorney and Statement Under 37 C.F.R. 3.73(b)
(+ copies of Assignments - not for recordation-note: The Assignments for recordation are being sent concurrently under separate cover to Box Assignment, pursuant to the MPEP @ Page 300-M and Form PTO-1619A);
- 3) Copy of Notice of Missing Parts;
- 4) Fee Transmittal Sheet;

- 5) Transmittal Sheet;
- 6) Request for Corrected Filing Receipt;
- 7) Marked-up Copy of Filing Receipt;
- 6) Return postcard.

Please note that the Sequence Listing, Statement Accompanying Sequence Listing and the computer diskette containing the sequence listing in computer readable format **are being sent concurrently under separate cover to Box Sequence, P.O. Box 2327, Arlington, VA 22202, pursuant to the Attachment to "Notice to Comply with Requirements... Sequence Disclosures" as attached to the Notice to File Missing Parts of Application as received in the above-identified application.**

Please charge Deposit Account No. 50-0990 for the following fees:

Missing Parts Surcharge	\$ 130.00
TOTAL FEES TO BE CHARGED	\$ 130.00

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 50-0990.

Respectfully submitted,


Joanne R. Petithory
Reg. No. 42,995

Maxygen, Inc.
Patent Department
515 Galveston Drive
Redwood City, California 94063
Customer No. 30560
Telephone: (650) 298-5300
Facsimile: (650) 298-5446

O I P E C 152
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202
Attn: Box Missing Parts

On March 13, 2002

By Diana M. Schaller
Diana M. Schaller

Attorney Docket No.: 0220us210

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Claus Bornaes, et al.

Application No.: 10/004,201

Filed: November 1, 2001

For: New Multimeric Interferon Beta
Polypeptides

Examiner: Unassigned

Art Unit: 1644

REQUEST FOR CORRECTED
FILING RECEIPT

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202
Attn: Box Missing Parts

Sir:

Attached is a copy of the official Filing Receipt received from the Patent and Trademark Office in the above-noted application for which issuance of a corrected filing receipt is respectfully requested.

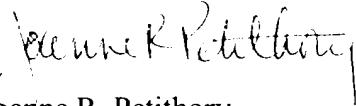
There is an error in that the third named inventor's first name should read as follows:

Poul Baad Rasmussen

It is believed that no fee is due for correction of the Filing Receipt. However, if the

Commissioner believes a fee is due, the Commissioner is hereby authorized to charge Deposit Account No. 50-0990.

Respectfully submitted,


Joanne R. Petithory
Reg. No. 42,995

Maxygen, Inc.
Patent Department
515 Galveston Drive
Redwood City, California 94063
Telephone: (650) 298-5300
Facsimile: (650) 298-5446
Customer No. 30560



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P A T E N T & T R A D E M A R K O F F I C E

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APPLICATION NUMBER	FILING DATE	GR PART UNIT	EIL FEE REC'D	ATTY DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/004,201	11/01/2001	1644	1416	0220US210		32	2



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CONFIRMATION NO. 5811
FILING RECEIPT

OC000000007312569

Date Mailed: 01/15/2002

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Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/245,645 11/02/2000

Foreign Applications

If Required, Foreign Filing License Granted 01/15/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

New multimeric interferon beta polypeptides

Preliminary Class

COPY

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